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16 Attorneys for Plaintiffs

17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

19 HABEN BERHANE,

20 Plaintiff,

21 v.

22 BAYER HEALTHCARE, Biological Products  
23 Division, a for profit business entity,

24 Defendant.

CASE NO. C-05-02872 JSW

**STIPULATION AND ~~PROPOSED~~ ORDER  
TO CONTINUE CASE MANAGEMENT  
CONFERENCE**

**TRIAL DATE: None Assigned**

**Hon. Jeffrey S. White**

25 WHEREAS, the Court has scheduled a Case Management Conference in this matter for  
26 January 20, 2006, and ordered the parties to file a Joint Case Management Conference Statement  
27 on or before January 13, 2005;

28 WHEREAS, the parties have reached an agreement to resolve this civil action, and have  
almost reached a finalized set of release and settlement documents; and

WHEREAS, it is not possible to finalize the release documentation prior to January 20,  
2006;

1 The parties to this action through their undersigned counsel of record hereby stipulate and  
2 agree that:

3 (1) The Case Management Conference set for January 20, 2006, be continued until  
4 March 3, 2006

5 ~~February 28, 2006~~, in light of the mandatory 21-day revocation period set forth in the  
6 settlement agreement under the Age Discrimination in Employment Act, as amended,  
7 including by the Older Workers Benefit Protection Act of 1990;

8 (2) The Parties will finalize the settlement documents, including the agreed upon  
9 Request for Dismissal with Prejudice of this matter before January 31, 2006;

10 (3) The parties will be relieved in the interim of engaging in any activities in the  
11 prosecution of their claims or defenses;

12 (4) Bayer reserves the right to renew its defense of this action and enforce discovery  
13 obligations of plaintiff should the settlement of this matter fail to be finalized, including the  
14 signature of a Request for Dismissal with Prejudice by January 31, 2006.

15 **IT IS SO STIPULATED.**

16 DATED: January 17, 2006

MOORE & MOORE

17 By: /s/  
18 HOWARD MOORE, JR.  
19 Attorneys for Plaintiff

20 DATED: January 17, 2006

21 By: /s/  
22 CHARLES STEPHEN RALSTON  
23 Attorney for Plaintiff  
24 NATHANIEL WOODS

25 DATED: January 17, 2006

THE LOUDERBACK LAW FIRM

26 By: /s/  
27 JEROME SCHREIBSTEIN  
28 JAMES T. CONLEY  
Attorneys for Defendant  
BAYER HEALTHCARE

